

APPENDIX B

CAP ALLOCATION HISTORY

**Draft Environmental Impact Statement
Allocation of Water Supply and
Long-Term Contract Execution
Central Arizona Project**

APPENDIX B

CAP ALLOCATION HISTORY

B.I. INTRODUCTION

This appendix summarizes the Central Arizona Project (CAP) allocation history and identifies the events that have changed the allocation of CAP water among the three pools of water: Indian, municipal and industrial (M&I), and non-Indian Agriculture (NIA).

The following summarizes the history of the allocation of CAP water.

- ◆ 1968 – Colorado River Basin Project Act authorized the construction of the CAP and contracting for CAP water supplies;
- ◆ 1976 – “Kleppe Allocation” provided 257,000 acre-feet annually (afa) for five Indian entities;
- ◆ 1977 – Arizona Department of Water Resources (ADWR) recommended M&I entity allocation;
- ◆ 1979 – ADWR recommended NIA allocation;
- ◆ 1980 – “Andrus Allocation” provided 309,828 afa for 10 Indian entities. ADWR filed a lawsuit to prevent the implementation of the allocations due to inadequate National Environmental Policy Act (NEPA) compliance. The lawsuit was dismissed when Secretary of the Interior (Secretary) Andrus agreed to prepare an Environmental Impact Statement (EIS) on the CAP water allocations;
- ◆ 1983 – 1983 Allocation revised the non-Indian allocations included in the 1980 proposed Andrus allocation. The 1983 Allocation provided 309,828 afa for 12 Indian entities, 638,823 afa to 85 non-Indian M&I entities, and the remaining supply (up to 466,349 afa in a normal year) to 23 NIA districts;
- ◆ 1984 – Ak-Chin Indian Community Water Rights Settlement Act provided settlement of water rights claims by the Ak-Chin Indian Community. In addition to its CAP water allocation, the Community received 50,000 afa of Colorado River water from the Yuma Mesa Division (YMD) to be delivered by CAP. This amounted to 47,500 acre-feet, after deducting estimated system loss.
- ◆ 1988 – Salt River Pima-Maricopa Indian Community (SRPMIC) Water Rights Settlement Act authorized settlement of water rights claims by the SRPMIC. Through this settlement, the RWCD in Phoenix, Arizona, relinquished 5,000 af of its CAP NIA allocation for use in a water rights settlement with the SRPMIC. This act also addressed reallocation of uncontracted NIA water and provided authorization for the RWCD to relinquish its NIA allocation. In 1992, RWCD assigned its remaining allotment to the Secretary for use and benefit of the Gila River Indian Community (GRIC). (For settlement negotiations and NEPA purposes, this amount is assumed to be 18,600 af). These two relinquishments by RWCD resulted in an increase of 23,600 af of CAP water

available for Indian use. Also under authority of this settlement, the United States secured additional Colorado River water entitlement in 1990 from the Wellton-Mohawk Irrigation and Drainage District in Yuma, Arizona, for use in settling water rights claims with SRPMIC. This amounted to 20,900 af after deducting estimated system losses.

- ◆ 1990 – Fort McDowell Indian Community (FMIC) Water Rights Settlement Act authorized settlement of water rights claims of the FMIC. Under this settlement, the HVID relinquished its CAP allotment to the Secretary in 1992. Harquahala Valley Irrigation District's (HVID's) allotment was determined to be equivalent to 33,251 af, of which an amount of 13,933 af was converted to Indian priority water and assigned to FMIC; the remaining 19,318 af continues to be held by the Secretary for use in settlement of water rights claims. (For settlement negotiation and NEPA purposes, it is assumed this amount will be converted to Indian priority water.)
- ◆ 1992 – “Reallocation of NIA Water” authorized in the SRPMIC Water Rights Settlement Act, the remaining uncontracted NIA was to be reallocated to other NIA users. NEPA compliance has been completed and Secretarial decision noticed in the Federal Register (FR). However, the contracting of the NIA water pursuant to the reallocation has been put on hold.
- ◆ 1992 –San Carlos (SC) Apache Tribe Water Rights Settlement Act authorized settlement of water rights claims to the Salt River watershed by the SC Apache Tribe. This Act, among other things, reallocated CAP M&I water previously allocated for use by the City of Globe and Phelps Dodge (PD) (3,480 af and 14,665 af, respectively) to the SC Apache Tribe. Subject to final implementation of the Act, this would amount to 18,145 af.

Figure B-1 summarizes the changes from the 1983 Record of Decision (ROD) to the present.

B.II. INDIAN POOL EVOLUTION

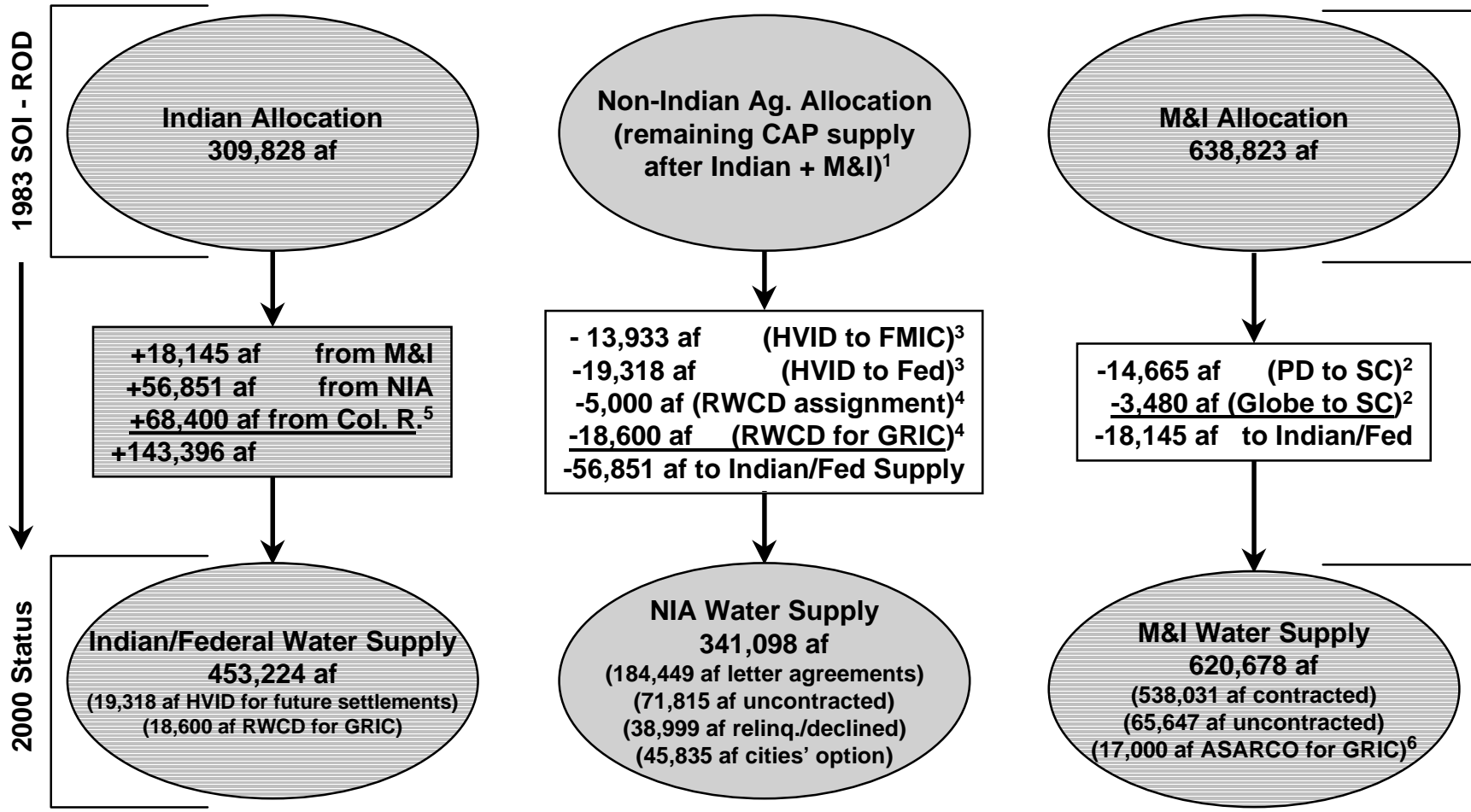
The summary of events that have impacted the allocation of CAP water includes allocations and water rights settlements. The impact of these events to the 10 original Indian entities to the current status is shown in Table B-1. At present, the water supply allocated to or reserved for Indian entities is 453,224 afa. This represents an increase of 196,224 afa from the 1976 “Kleppe Allocation.”

B.III. M&I POOL EVOLUTION

The allocation of water to non-Indian M&I entities was initiated by ADWR recommendation in 1977 and modified in the 1983 Allocation. Since 1983, the water supply in the M&I pool has been modified by three types of events: Indian water rights settlements, assignment from one M&I entity to another, and relinquishment of allocations to an uncontracted status. The evolution of the M&I allocations from 1983 to present is summarized in Table B-2.



FIGURE B-1
CAP Allocation Draft EIS
HISTORY OF CURRENT CAP WATER SUPPLIES
(1983 Record of Decision to Present)



¹NIA allocations were defined as percentages of CAP supply remaining after Indian and M&I use. It is assumed that the NIA supply is approximately 341,098 af in 1999.

²Subject to implementation of the San Carlos Apache Tribe Water Rights Settlement Act of 1992.

³Pursuant to Fort McDowell Indian Community Water Rights Settlement Act of 1990.

⁴Assigned pursuant to 1988 SRPMIC settlement agreement and relinquished in the 1992 GRIC/RWCD agreement.

⁵Colorado River sources provided from Yuma Mesa Division in the 1984 Ak Chin Indian Community Settlement Act and from Wellton-Mohawk IDD in the 1988 SRPMIC Settlement Act.

⁶Agreement to assign 17,000 af from ASARCO to GRIC subject to SOI consent.

Table B-1
CAP Allocation Draft EIS
Summary of Allocation to Indian Entities

INDIAN CONTRACTS	1983 Allocation	Contract Current Amounts	Additional Supply
Ak-Chin	58,300	75,000	Yuma-Mesa Div. Colorado River water
Camp Verde	1,200	1,200	na
Fort McDowell	4,300	18,233	CAP water (HVID water)
GRIC	173,100	173,100	na
Pasqua Yaqui	500	500	na
Salt River Pima Maricopa	13,300	39,200	Wellton Mohawk Colorado River water, RWCD NIA water
SC Apache Tribe	12,700	61,645	CAP water (Ak Chin, City of Globe, and PD water)
Tohono O'Odham Nation			
Chui Chui District	8,000	8,000	na
San Xavier District	27,000	27,000	na
Schuk Toak District	10,800	10,800	na
Tonto-Apache	128	128	na
Yavapai-Prescott	500	500	na
Reserved for Additional Settlements	0	37,918	CAP water (remaining HVID water, remaining RWCD water)
TOTAL	309,828	453,224	143,396

na - not applicable

Table B-2				
CAP Allocation Draft EIS				
Summary of M&I Entities CAP Allocations				
M&I - ENTITY	1983 ALLOCATION (YEAR 2034)	TRANSFERS WITHIN M&I POOL	CURRENT CONTRACTED AMOUNTS	COMMENTS
MUNICIPAL PROVIDERS				
Citizens Utility Company (Aqua Fria)	1,439	9,654	11,093	
Arizona Water Company-Apache Junction	6,000		6,000	
City of Avondale	4,099	647	4,746	
Berneil Water Company	432	-232	200	City of Scottsdale - 200; City of Phoenix - 32
City of Buckeye	25		25	
Camp Verde Water Company	1,443	-1,443	0	Transferred to City of Scottsdale
Arizona Water Company (Casa Grande)	8,884		8,884	
Carefree Ranch Water Company	954	-954	0	Acquired by City of Scottsdale
Carefree Water Company	400		400	
Cave Creek Water Company	1,600		1,600	
City of Chandler	3,668		3,668	
Chandler HeightsCitrus Irrigation District (CHCID)	315		315	
Chaparral City Water Company	6,978		6,978	
Clearwater Company	2,849	-2,849	0	Acquired by City of Peoria
Arizona Water Company (Coolidge)	2,000		2,000	
Community Water Company of Green Valley	1,100	-237	1,337	
Consolidated Water Company (Maricopa)	3,932		3,932	Acquired by Brooke LLC
Cortaro-Marana Irrigation District	47	-47	0	Transferred to Town of Marana
Cottonwood Water Company	1,789	-1,789	0	Transferred to City of Scottsdale
Crescent Valley Water Company	2,697	-2,697	0	Acquired by City of Mesa
Vail Water Company	786		786	
Desert Ranch Water Company	139	-139	0	Acquired by City of Scottsdale
Desert Sage Water Company	5,933	-5,933	0	Acquired by City of Mesa
Desert Sands Water Company	768	-768	0	Acquired by City of Mesa
City of Eloy	2,171		2,171	
E&R Water Company	161		161	Acquired by Pine Water Company
City of Florence	1,641	407	2,048	

Table B-2				
CAP Allocation Draft EIS				
Summary of M&I Entities CAP Allocations				
M&I - ENTITY	1983 ALLOCATION (YEAR 2034)	TRANSFERS WITHIN M&I POOL	CURRENT CONTRACTED AMOUNTS	COMMENTS
Florence Gardens	407	-407	0	Became Arizonarra Utility; Acquired by City of Florence
Flowing Wells Irrigation District	4,354		4,354	
Foothills Water Company	1,652	-152	0	Transferred to Town of Oro Valley
City of Gilbert	7,235		7,235	
City of Glendale	14,083	100	14,183	
City of Globe	3,480	-3,480	0	Transferred to SC Apache Tribe in water rights settlement
City of Goodyear	2,374	1,007	3,381	
Green Valley Water Company	1,900		1,900	
Ironwood Water Company	393	-393	0	Acquired by City of Scottsdale
Litchfield Park Service Company	5,580		5,580	
Maricopa Mountain Water Company	108		0	<i>Uncontracted Pool</i>
Mayer-Humboldt Water Company	332	-332	0	Transferred to City of Scottsdale
McMicken Irrigation District	9,513	-9,027	486	City of Avondale-647; City of Surprise-7373; City of Goodyear-1007
City of Mesa	20,129	14,759	36,388	
Arizona Water Company (Miami-Claypool)	1,829		0	<i>Uncontracted Pool</i>
Midvale Farms Water Company	1,500		1,500	
New Pueblo	237	-237	0	Transferred to Community Water Company of Green Valley
New River Utility Company	2,359	-474	1,885	Transferred 100 af to City of Glendale
City of Nogales	3,949	-3,949	0	Transferred to City of Scottsdale
North Valley Water Company	393	-393	0	Acquired by City of Scottsdale
Palm Springs Water Company	2,919	-2,919	0	Per CAWCD, held by Consolidated Water Utilities (Pinal), then assigned to Water Utilities Community Facilities District (Apache Junction)
Paradise Valley Water Company	3,231		3,231	
City of Payson	4,995	-4,995	0	Transferred to City of Scottsdale

Table B-2				
CAP Allocation Draft EIS				
Summary of M&I Entities CAP Allocations				
M&I - ENTITY	1983 ALLOCATION (YEAR 2034)	TRANSFERS WITHIN M&I POOL	CURRENT CONTRACTED AMOUNTS	COMMENTS
City of Peoria	15,000	4,486	18,709	
City of Phoenix	113,882	32	113,914	
City of Prescott	7,127	-7,127	0	Transferred to City of Scottsdale
Queen Creek Irrigation District (QCID)	944	-596	348	596 af transferred to City of Mesa
Ranch Lands Water Company	393		3,037	Contracted amount included 2644 from City of Tucson; Became Spanish Trails
Rio Rico Citizens Utility	2,683	-2,683	0	Transferred to City of Scottsdale
Rio Verde Utilities, Inc.	812		812	
San Tan Irrigation District (STID)	236		236	Yavapai-Prescott Tribe + 500
City of Scottsdale	19,702	24,397	49,029	ASLD + 530 + 3900
Citizens Utility Company (Sun City)	15,835	-12,026	3,809	Citizens Utility Company (Agua Fria)-9654; Sun City West-2372
Sunrise Water Company	944		944	
Sunshine Water Company	16		64	Now Water Utility of Greater Tonopah; Contracted amount + 48 from West Phoenix Water
City of Tempe	4,315		4,315	
Trails End Water Company	226		0	<i>Uncontracted Pool</i>
City of Tucson	151,064	-9,500	138,920	Contracted amount - 2644 to Ranch Lands
Turner Ranches	3,932	-3,932	0	Acquired by City of Mesa
West End Water Company	157		157	
West Phoenix Water Company	91		43	Now Water Utility of Greater Buckeye; contracted amount - 48 to Sunshine
Arizona Water Company (White Tank)	968		968	
Williams Air Force Base	833	-833	0	Acquired by City of Mesa
City of Youngtown	380		380	Acquired by Sun City Water Company
Town of Marana	na	47	47	
MetroDomestic Water ID/ (1st Trust of Arizona)	na	8,858	8,858	
Town of Oro Valley/1st Trust of Arizona	na	2,294	2,294	
Sun Cities West Utilities Company	na	2,372	2,372	

Table B-2				
CAP Allocation Draft EIS				
Summary of M&I Entities CAP Allocations				
M&I - ENTITY	1983 ALLOCATION (YEAR 2034)	TRANSFERS WITHIN M&I POOL	CURRENT CONTRACTED AMOUNTS	COMMENTS
Town of Surprise	na	7,373	7,373	
Water Utility Community Facilities (Apache Junction)	na	2,919	2,919	
subtotal Municipal Water Providers	494,742		496,015	Includes water from other pools
UTILITY PROVIDERS				
Salt River Project/Arizona Public Service	43,218		0	<i>Uncontracted Pool</i>
MINING PROVIDERS				
Anamax-Twin Buttes	4,444		0	<i>Uncontracted Pool</i>
ASARCO Hayden	582		582	
ASARCO Mission	0		0	
Cities Service Company - Pinto Valley	2,271		2,271	Now BHP Copper Company
Cyprus-Pima	5,339		0	<i>Uncontracted Pool</i>
Duval	8,549		0	<i>Uncontracted Pool</i>
Inspiration Copper	2,906		2,906	Now Cyprus Miami Mining Corporation
Kennecott	22,028		20,418	1,610 <i>Uncontracted Pool</i> , now ASARCO Ray
PD	14,665	-14,665	0	Transferred to SC Apache Tribe in water rights settlement
Sub-total Mines	60,784		26,177	
RECREATION PROVIDERS				
Arizona Game and Fish Department	324		0	<i>Uncontracted Pool</i>
Maricopa County	665		665	
Sub-Total Recreation	989		665	
OTHER PROVIDERS				
Phoenix Memorial Park	84		84	
Arizona State Lands Department (ASLD)	39,006	-5,930	33,076	Transferred to M&I entities
Sub-Total Other	39,090		33,160	
Total M&I Sector Pool	638,823		556,017	65,647 uncontracted pool
na = non applicable				

B.IV. NIA POOL EVOLUTION

The calculation of NIA allocations was the subject of many comments received through the scoping process. The comments focused primarily on the process used to convert the percentage of NIA water allocated to individual entities into volumes in the definition of alternatives identified for evaluation in this draft EIS. It should be noted that with the exception of the proposed action (or Settlement Alternative), it is anticipated that NIA contracts and subcontracts will continue to be based on the allocation of a percentage of NIA priority water available. The conversion of percentage allocations to volumes is for the purpose of providing consistent definition of alternatives in the scoping process only.

Table B-3 documents the process used to convert NIA percentage allocations to volumes for individual entities for the purposes of this draft EIS. The worksheet describes the steps taken in the process, then shows the calculations.

Table B-3
CAP Allocation Draft EIS
CAP NIA Sector Worksheets

1. **Determine normal year deliveries** - The normal year supply of 1,490,000 afa is based on a normal supply from the Colorado River for the purposes of this draft EIS. The normal year delivery is the normal year supply less estimated losses of 75,000 afa. The normal year delivery is 1,415,000 afa.
2. **Calculate the Initial NIA Pool**– The NIA supply is the CAP water available after the Indian and M&I uses are delivered. The NIA supply is defined as normal year delivery minus Indian and M&I uses. Assuming full use of the 1983 contracts in the 1983 ROD, the NIA supply is 466,394 afa.
3. **Determine NIA Pool after 1984 Ak-Chin Settlement Act and 1988 SRPMIC Settlement Act** – The addition of Colorado River water supplies in the CAP system reduced the NIA supply to 397,949 afa based on normal year deliveries minus full use of Indian and M&I allocations and the addition of Colorado River water into the system.
4. **Convert the NIA percentage allocation to volumes per entity based on the 1988 starting line** – Using the NIA supply calculated in step 3, multiply the allocation percentage per entity by the 1988 NIA supply of 397,949 afa. The results of the conversion are shown in the attached worksheet. In addition, the 1992 ROD provided additional percentages of NIA supply to each entity. Conversion of the 1992 reallocation is shown in the attached worksheet.
5. **Calculate the NIA supply at its current level** – The current NIA supply has been reduced by the relinquishment and conversion of HVID water to Indian priority for Federal use, and for the sake of this analysis, the definition of RWCD's assignment as part of SRPMIC and relinquishment to the Secretary of 23,600 afa. These actions reduce the NIA supply available for NIA use to 341,098 afa.
6. **Determine the water reserved for the Cities pursuant to the Hohokam Irrigation and Drainage District (HIDD) Agreement** – In the HIDD Agreement, several Plan 6 Cities received the assignment of NIA water from HIDD as well as an option to contract for five percent of the NIA supply. The assignment and option combine for approximately 11.97 percent of the NIA supply. The agreement includes a formula for calculation of the NIA supply that reflects the inclusion of a portion of the HVID water as Indian water and WMIDD water as M&I water, while the YMD water reduces the normal year delivery by 47,500 afa. In addition, the formula includes provisions for providing conversion of the CAP water associated with up to 7,077 acres of land in HIDD to M&I uses. The formula is based on $11.97 \text{ percent} * \text{NIA}$, where $\text{NIA} = 1,415,000 - 47,500 \text{ YMD} - (309,828 + 13,933 \text{ HVID}) - (638,823 + 22,000 \text{ WMIDD})$. The resulting volume of NIA water reserved for the cities is 45,835 afa for the purposes of this draft EIS.
7. **Calculate the NIA uncontracted supply** – The NIA uncontracted supply is the residual of the currently available NIA supply less the water reserved for the cities, 2-Party

Agreements, relinquished water (exclusive of RWCD which was removed from the available NIA supply), and declined water. The uncontracted supply is 71,815 afa and includes supplies allocated in the 1992 ROD for entities that have not relinquished or declined their allocations under the 1992 ROD.

STEP 1 - Determine Normal Year Delivery as Normal Year Supply - losses

	Volume
Normal year supply	1,490,000
Losses	-75,000
Delivery	1,415,000

STEP 2 - Calculate Initial NIA Pool as Delivery - (M&I + Indian)

Delivery	1,415,000
Indian	-309,828
M&I	-638,823
NIA (residual after Indian+M&I)	466,349

STEP 3 - Determine NIA Pool reduction as 83 NIA - (YMD + WMID)

1983 ROD Allocation	466,349	
YMD (50,000 without losses)	-47,500	(Ak-Chin Settlement 1984)
WMIDD/SRPMIC (22k w/losses)	-20,900	(SRPMIC Settlement 1988)
1988 NIA POOL	397,949	<i>1988 STARTING LINE</i>

STEP 4 - Convert NIA percentage allocations to volumes based on 1988 STARTING LINE as 1988 NIA POOL * Allocation Percentage

ORIGINAL IDS					
Entity	Allocation % 1983	Volume	Allocation % 1992	Volume	Current Status
Central Arizona Irrigation and Drainage District (CAIDD)	18.01	71,671	22.74	90,494	
Chandler Height Citrus Irrigation District (CHCID)	0.28	1,114	0.3	1,194	
HVID	7.67	30,523	8.73	34,741	
HID	6.36	25,310	6.97	27,737	To Cities
Maricopa-Stanfield Irrigation and Drainage District (MSIDD)	20.48	81,500	22.75	90,533	
New Magma Irrigation and Drainage District (NMIDD)	4.34	17,271	7.23	28,772	Relinquished (1983%)
Queen Creek Irrigation District (QCID)	4.83	19,221	4.83	19,221	
RWCD	5.98	23,797	6.33	25,190	Relinquished Federal Uses
San Tan Irrigation District (STID)	0.77	3,064	0.77	3,064	
Tonopah Irrigation District (TID)	1.98	7,879	1.98	7,879	
TOTAL	70.7	281,350	82.63	328,825	
DECLINED IDS					
Entity	Allocation % 1983	Volume	Allocation % 1992	Volume	Current Status
Farmers Investment Company	1.39	5,531	1.64	6,526	Declined
San Carlos Irrigation & Drainage District	4.09	16,276	6.84	27,220	
TOTAL	5.48	21,808	8.48	33,746	
NEW ENTITIES					
Entity	Allocation % 1983	Volume	Allocation % 1992	Volume	Current Status
ASLD LEASE - Pichacho Pecans	-	-	0.54	2,149	Declined
ASLD LEASE - Aguire	-	-	0.11	438	Declined
McMullen Valley Water Conservation District	-	-	3.17	12,615	Declined
Roosevelt Irrigation District	2.61	-	5.07	20,176	
TOTAL			8.89	35,378	
NIA 1992 TOTAL	70.70	281,350	100.00	397,949	

STEP 5 - Calculate Current NIA Pool at its current level

1988 Starting Line	397,949	
HVID (fixed)	-33,251	1990 FMIC Settlement
RWCD (fixed)	-23,600	1992 Agreement
CURRENT NIA POOL	341,098	

STEP 6 - Determine NIA water reserved for Cities pursuant to HIDD Agreement

HIDD (assigned to cities)	26,689	HIDD Agreement Calculation
5% NIA Options	19,146	HIDD Agreement Calculation
NIA TO CITIES	45,835	

STEP 7 - Calculate NIA Uncontracted Pool

Current NIA Pool	341,098	
Reserved For Cities	-45,835	
2-Party Agreements	-184,449	1983%(CAIDD, CHCID, MSIDD, QCID, STID, TID)
Relinquished	-17,271	1983% NMIDD per bankruptcy
Declined	-21,728	
UNCONTRACTED POOL	71,815	